

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

SET CAPITAL LLC, et al., Individually and  
on Behalf of All Others Similarly Situated,

Plaintiffs,

v.

CREDIT SUISSE GROUP AG, CREDIT  
SUISSE AG, CREDIT SUISSE  
INTERNATIONAL, TIDJANE THIAM,  
DAVID R. MATHERS, JANUS HENDERSON  
GROUP PLC, JANUS INDEX &  
CALCULATION SERVICES LLC, and  
JANUS DISTRIBUTORS LLC d/b/a JANUS  
HENDERSON DISTRIBUTORS,

Defendants.

Case No.: 1:18-cv-02268-AT-SN

**NOTION OF MOTION AND MOTION  
FOR CLASS CERTIFICATION**

PLEASE TAKE NOTICE that Lead Plaintiffs Set Capital LLC, Stefan Jager, Aleksandr Gamburg, and Apollo Asset Limited<sup>1</sup> (“Lead Plaintiffs”) hereby move this Court for an Order (i) certifying this matter as a class action pursuant to Rules 23(a), (b)(3) and (g) of the Federal Rules of Civil Procedure; (ii) appointing Lead Plaintiffs as Class Representatives; and (iii) appointing Cohen Milstein Sellers & Toll PLLC and Levi & Korsinsky, LLP, as Class Counsel.

In support of this motion, Lead Plaintiffs submit the accompanying Memorandum of Law, Declaration, together with the exhibits annexed thereto, and a [Proposed] Order, filed herewith.

Dated: July 1, 2022

Respectfully submitted,

---

<sup>1</sup> Apollo Asset Limited was previously referred to as ACM in the pleadings as Counsel believed that Apollo Asset Limited had changed its name to ACM. Counsel recently learned that the corporate name-change from Apollo Asset Limited to ACM was never filed with the relevant authorities, so the name of the entity did not formally change and remains Apollo Asset Limited. Counsel plans to file the appropriate form or motion to correct the docket shortly.

/s/ Michael B. Eisenkraft

Michael B. Eisenkraft

Laura H. Posner

**COHEN MILSTEIN SELLERS  
& TOLL PLLC**

88 Pine Street

14th Floor

New York, NY 10005

Tel.: (212) 838-7797

Fax: (212) 838-7745

meisenkraft@cohenmilstein.com

lposner@cohenmilstein.com

Steven J. Toll (*pro hac vice*)

Brendan Schneiderman (*pro hac vice*  
forthcoming)

1100 New York Ave. N.W., Fifth Floor

Washington, D.C. 20005

Tel.: (202) 408-3640

Fax: (202) 408-4699

stoll@cohenmilstein.com

bschneiderman@cohenmilstein.com

Carol V. Gilden

190 South LaSalle Street, Suite 1705

Chicago, IL 60603

Tel. (312) 357-0370

cgilden@cohenmilstein.com

**LEVI & KORSINSKY, LLP**

Eduard Korsinsky

Nicholas I. Porritt

Adam M. Apton

55 Broadway, 10th Floor

New York, NY 10006

Tel: (212) 363-7500

Fax: (212) 363-7171

ek@zlk.com

nporritt@zlk.com

aapton@zlk.com

**LEVI & KORSINSKY, LLP**

Alexander A. Krot III

1101 30th Street NW, Suite 115

Washington, D.C. 20007  
Tel: (202) 524-4290  
Fax: (212) 363-7171  
akrot@zlk.com  
(*admitted pro hac vice* forthcoming)

*Counsel for Lead Plaintiffs and Co-Lead  
Counsel for the Class*

**BRONSTEIN, GEWIRTZ &  
GROSSMAN,  
LLC**

Peretz Bronstein  
60 East 42nd Street, Suite 4600  
New York, NY 10165  
Tel. (212) 697-6484  
peretz@bgandg.com

*Additional Counsel for Apollo Asset Limited*